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12 *Attorneys for Plaintiff, Christiana Trust, a division of Wilmington Savings Fund Society, FSB,*
13 *not in its individual capacity but as Trustee of ARLP Trust 3*

9 **UNITED STATES DISTRICT COURT**
10 **DISTRICT OF NEVADA**

11 CHRISTINA TRUST, A DIVISION OF
12 WILMINGTON SAVINGS FUND SOCIETY,
13 FSB, NOT IN ITS INDIVIDUAL CAPACITY
14 BUT AS TRUSTEE OF ARLP TRUST 3,

15 Plaintiff,

16 vs.

17 9796 MOUNT CUPERTINO TRUST,
18 KENNETH BERBERICH AS TRUSTEE, an
19 unknown entity; DOES I through X; and ROE
20 CORPORATIONS I through X, inclusive,

21 Defendants.

Case No.: 2:15-cv-02295-RFB-NJK

**STIPULATION AND ORDER TO
SUBSTITUTE PARTY**

22 Plaintiff, Christiana Trust, a division of Wilmington Savings Fund Society, FSB, not in
23 its individual capacity but as Trustee of ARLP Trust 3 (hereinafter "Christiana Trust"), and
24 Defendant, 9796 Mount Cupertino Trust, Kenneth Berberich as Trustee (hereinafter "Cupertino
25 Trust"), by and through their attorneys of record, hereby stipulate and agree as follows:

26 WHEREAS Christiana Trust filed its Complaint and commenced the above-captioned
27 action on December 7, 2015.

1 WHEREAS the above-captioned action concerns the real property located at 9796 Mount
2 Cupertino Street, Las Vegas, Nevada 89178, APN: 176-29-513-002 (the "Property").

3 WHEREAS, at the time Christiana Trust filed and served its Complaint, Christiana Trust
4 held an interest in the Property pursuant to a Deed of Trust recorded against the Property on
5 August 1, 2007 (the "Deed of Trust").

6 WHEREAS U.S. Bank Trust, N.A., as Trustee for LSF9 Master Participation Trust
7 (hereinafter "U.S. Bank") has now been assigned all beneficial interest in the Deed of Trust.

8 IT IS HEREBY STIPULATED AND AGREED that U.S. Bank is substituted as the
9 proper Plaintiff in place of Christiana Trust in this matter.

10 IT IS FURTHER STIPULATED AND AGREED that the caption in this case shall reflect
11 the change to U.S. Bank as the proper Plaintiff in place of Christiana Trust.

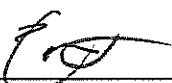
12 IT IS FURTHER STIPULATED AND AGREED that all outstanding written discovery
13 shall reflect the change to U.S. Bank as the proper Plaintiff in place of Christiana Trust.
14 Accordingly, U.S. Bank will respond to the written discovery served upon Christiana Trust by
15 Cupertino Trust on December 16, 2016, and Cupertino Trust will respond to the written
16 discovery served upon it by Christiana Trust on January 6, 2017.


17 DATED this 17 day of February, 2017.

17 DATED this 8th day of February, 2017.

19 WRIGHT, FINLAY & ZAK, LLP

19 MAIER GUTIERREZ AYON

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FSB, not in its individual capacity but as
Trustee of ARLP Trust 3*

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*Attorneys for Defendant, 9796 Mount
Cupertino Trust, Kenneth Berberich as Trustee*

ORDER

Based upon the foregoing Stipulation between Plaintiff Christiana Trust and Defendant Cupertino Trust and good cause appearing,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that U.S. Bank Trust, N.A., as Trustee for LSF9 Master Participation Trust is hereby substituted as successor-in-interest to Plaintiff Christiana Trust, a division of Wilmington Savings Fund Society, FSB, not in its individual capacity but as Trustee of ARLP Trust 3.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the caption in this case shall reflect the change to U.S. Bank as the proper Plaintiff.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that all outstanding written discovery shall reflect the change to U.S. Bank as the proper Plaintiff.

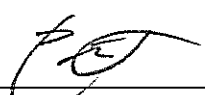
IT IS SO ORDERED.

DATED this 23rd day of February, 2017.


UNITED STATES MAGISTRATE JUDGE

Respectfully Submitted by:

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